

MESSAGE NO: 0167302 MESSAGE DATE: 06/16/2010

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 75 FR 29726 FR CITE DATE: 05/27/2010

REFERENCE
MESSAGE #
(s):

CASE #(s): A-552-801

EFFECTIVE DATE: 05/27/2010 COURT CASE #:

PERIOD OF REVIEW: 08/01/2008 TO 07/31/2009

PERIOD COVERED: 08/01/2008 TO 07/31/2009

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTIFICATION OF PARTIAL RESCISSION OF ADMINISTRATIVE REVIEW OF
ANTIDUMPING DUTY ORDER OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST
REPUBLIC OF VIETNAM (A-552-801)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN
FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM (A-552-801),
COVERING THE PERIOD 08/01/2008 THROUGH 07/31/2009, HAS BEEN RESCINDED FOR
THE FIRMS LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION
DURING THE PERIOD 08/01/2008 THROUGH 07/31/2009 AT THE CASH DEPOSIT OR
BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

COMPANY: QVD FOOD COMPANY LIMITED (INCLUDES QVD DONG THAP AND THUAN
HUNG)

CASE NUMBER: A-552-801-009

COMPANY: ANVIFISH CO., LTD.

CASE NUMBER: A-552-801-015

COMPANY: HIEP THANH SEAFOOD JOINT STOCK COMPANY

CASE NUMBER: A-552-801-019

COMPANY: SAMEFICO

CASE NUMBER: A-552-801-022

COMPANY: CADOVIMEX II

CASE NUMBER: A-552-801-023

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT
MERCHANDISE DURING THE PERIOD 08/01/2008 THROUGH 07/31/2009 OCCURRED WITH

THE PUBLICATION OF THE NOTICE OF RESCISSION OF ADMINISTRATIVE REVIEW (75 FR 29726, 05/27/2010). FOR ALL OTHER SHIPMENTS OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. ENTRIES OF MERCHANDISE OF FIRMS NOT LISTED ABOVE SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER COMPLETION OF THE ANTIDUMPING ADMINISTRATIVE REVIEW FOR THE PERIOD 08/01/2008 THROUGH 07/31/2009. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE THAT WERE EXPORTED BY THE UNLISTED FIRMS AND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:AV).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-552-801-009	\$0.00	E		QVD FOOD COMPANY
A-552-801-015	\$0.00	E		ANVIFISH CO., LTD.
A-552-801-019	\$0.35	E		HIEP THANH SEAFOOD JOINT STOCK COMPANY
A-552-801-022	\$0.00	E		SAMEFICO
A-552-801-023	\$0.00	E		CADOVIMEX II